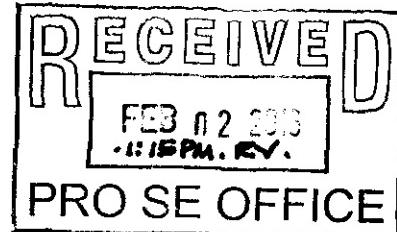


Hon. Judge Brien Cogen
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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**Pursuant to State and Federal Rule Criminal and Civil Procedure
With Regard to Matters of Civil and Criminal**

.....X
C Martin El

Plaintiff

15 Cv6581
(BMC)(RLM)

Friday, January 28, 2016

Vs.

Defendant

TRAIL BY JURY

Norris Cardoza USTA: CITY OF NEW YORK: CITIFIELD; OTHER PARTIES NAMES UNKNOWN

.....X
Dear Judge Cogan, It is with full Respect of your Legal Experience, Expertise, and other Accomplishments, as United States District Judge, that I greet you.

However, With regard to **Issues of Due Process, Fair, and Impartial Protection**; Plaintiff asserts that he has been deprived of his Constitutional, Civil, and Other Due Process Rights, As explained in the Following Example of this 'Legal Notice, Affidavit of Fact. Please Let the Public Record Show.

The recent **Order by Judge R Mann on December 30th, 2015**, with regard to a Demand, (Not a Request, by the Defendant, SEE CAPTION BELOW) in Reference to a Notice dated **December 18th, 2015**:

Judge Mann has acknowledge the era of the Court in this order, (MAIL FLOWING VERY SLOW DURING THE CHRISTMAS HOLIDAY SEASON)

However, Judge R Mann has 'Decline to Modify' or Has Declined to 'Correct this Defect, or Violations on Plaintiffs, Due Process, and Other Constitutional

Civil Liberties, Preserving plaintiffs DUE PROCESS rights, Plaintiff request for Statements to be entered into the Public Record.

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AS A CONSTITUTIONAL LAW ABIDING CITIZEN: 'Having never committed Harm, Injury or other, to any Individuals Person or Property. Sir with regard to Issues of Due Process, Fairness, and Impartiality...

Judge Cogen, I am sending this notice to Address issues of Fairness and Impartiality,

Pursuant to 18 USC § 241 Material Evidence, that plaintiff asserts, was not being properly Weighed, or Examined for the Public Record.

I am humbly and respectfully requesting, an impartial jury of my peers, and a full Examination of all Evidence Presented BY PLAINTIFF, Via Request for discovery, Statements made, Motions presented, to be examined by another judge...

Based on defective actions that have been ordered on this current case (CV6581) and also, based on statements that I have submitted to the court, with regard defendant seeking to Conceal Evidence, via OFF THE CUFF THREATS ON PLAINTIFF, Placing plaintiff in situations of being coerce under duress, based on statements

In the following

Dear Judge Cogen: Please be advised, I am sending this Notice to inform the court of my Request to reverse the orders of Judge Mann, December 30th 2015, based on the following reasons

Plaintiff submit this Legal Notice for the Preservation of All Inalienable Rights and Constitutional Secured Immunities

Plaintiff 'disagree with the orders of Judge Mann, on December 30th docket 15 CV 6581: Based on the Following Grounds

Assaults and Violations on Plaintiffs CONSTITUTIONAL RIGHTS and other Civil Liberties SECTION 18: USC § 241:

- IN VIOLATION OF PLAINTIFF FIRST AMENDMENT CIVIL LIBERTIES**
- Also Violations on Plaintiffs 4TH Amendment Civil liberties**

Also 18 USC § 242

That For Every Legal Matter the Law Provides a Remedy, the 'Obligatory Requirement' is Due Process and Equal Protection, DearJudgeMann, and B. Cagen:
With regard to Due Process, for every legal matter, the Law Provides the Remedy of Due Process and Equal Protection: according 18 USC § 242

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Any Party, Rather Acting (Individually or In Concert) Who INFRINGES on the Constitutional Natural Rights, of another Party Is Liable Under the Constitution

If a party is acting 'in Contrast to the Principles, of the Constitution,
That party is Liable

We have a Situation where 'Several Parties' Has INFRINGED on the Constitutional Rights of Plaintiff, docket 15 Cv6581 and an Officer (s) of the Federal Court' Judge R. Mann/ Judge Brien M Cagen Has stated that The Plaintiff Cannot Sue parties in the following Caption, Federal Officer has not followed Oath Bound Obligations to Protect the Principals of the Constitution, as they pertain to plaintiffs Civil Constitutional liberties.

**Plaintiff Move to Challenge this Order, by Judge Roanne L. Mann, filed on December 30th, and the previous actions of Federal Officer, Brian M. Cagen
BASED on the Above Constitutional Principles: Please let the public Record Show, and Let (ALL STATEMENTS BE RECORDED IN THE PUBLIC RECORD)**

With reference to CAPTION Below; Plaintiff Files this Legal action based on All Initial Statements by Plaintiff in his original Notice on November 12th, 2015 based on the following Caption

.....x

C Martin El

15 Cv6581

Friday, January 11, 2016

Vs.

Trial by Jury

Norris Cardoza: Employed by:
USTA CITIFIELD THE CITY NEW YORK OTHERS,) NAMES UNKNOWN

.....x
The Federal Officer stated that Plaintiff can only File Suit, against Norris Cardoza, NOT ALL LIABLE PARTIES, Who encouraged Norris Cardoza in his

consistent violations of Plaintiffs Constitutional and Civil Liberties

Plaintiff move to Challenge this action, Which represent officers Prejudice, and not Plaintiffs Constitutional rights

Page | 4 **Federal officer (s) Roanne L. Mann, and Brian M. Cagen Acting in CONTRAST and CONFLICTION to the Federal Code and the DEPRIVATION of Plaintiffs Constitutional and Civil Rights**

18 USC § 241

18 USC § 242

42 USC § 1983

28 USC § 1331

Plaintiff File Claim, and Respectfully Request

- **Injunctive Relief,**
- **Summary Judgment,**
- **Punitive Damages,**

**And All other Relief as the Court Deems Appropriate
Outlined in Statements from Plaintiff Dated December 29th
2015**

Federal officer has Intensified the DEPRIVATION of Plaintiff Constitutional Immunities under above Federal Codes

That Plaintiff cannot receive **DUE PROCESS air and Impartial Treatment, And Fair Review of All Evidence that Plaintiff has Submitted to the Court, (TO BE CAREFULLY EXAMINED IN THE PUBLIC RECORD)**

The Officers Presiding over this matter, **Officers Roanne L. Mann, and (Brian M. Cogan, Plaintiff Asserts that he Cannot receive (Due Process and Equal Protection, UNDER ORDERS OF COLOR OF LAW) and a Fair Review of All Evidence, Based on Past Decisions by Judges Presiding over Current Docket, CV6581, Plaintiff States that He Cannot receive a (Fair and Impartial Decision, (BASED ON THE PATTERN OF ORDERS AND DECISIONS OF THE PAST)And Request to have another Judge Preside over the case bearing Docket CV6581**

Federal Mann's, Cogen orders, seemed to be initiated, not based on Plaintiffs Constitutional liberties. Example: Federal Officer Mann, has directed Plaintiff to comply with a Demand by corporation council, (**NOT BASED ON THE LAW**) (**But By the Defendants-Criteria, NOT BASED ON SUBSTATIVE LAW OF THE COURT**) that was Impossible for plaintiff to meet.

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Example: Defendant sent a Notice Dated(December 18th 2015) to Plaintiff, Ordering Plaintiff to Comply with (Defendants Demands, - **NOT THE COURTS / THE LAW THAT GOVERNS THE COURT**) within (**THE DEFENDANT- NOT THE LAW THAT GOVERNS THE COURT: GAVE PLAINTIFF THE STIPULATION TO RESPOND TO AN ORDER, BY THE DEFENDANT (NOT THE COURT) WITHIN ONE WEEK**) One Week- Christmas Holiday Season) (**ONE WEEK EXPIRED WHEN PLAINTIFF RECEIVED NOTICE Until (December 26th)** One week from (December 18th) from Defendants demand.

Judge Mann, and Judge Cagan, in pass matters, has demonstrated disregard for

- **Material Evidence**, and denial of
- **Fair and Impartial treatment** towards Plaintiff. CASE IN POINT

Judge Mann has (Unjustly Penalized Plaintiff) for failure to (Comply to an **Impossible Order**) Plaintiff received a **list of Stipulations** on December 26th: Defendant told Plaintiff to Comply Within **ONE WEEK**, The One Week Expired, **When Plaintiff Received the Notice in the Mail:** December 26th: Plaintiff Cannot Receive Fair and Impartial Treatment From Judge Mann, or Judge Cagen In their continued disregard

- Material Evidence
- Making Unreasonable Demands on Plaintiff
- While Affording Plaintiff an Unreasonable Amount of Time to Meet these Demands

Example: **Allowing Defendant Almost Two Mouths to Respond to Plaintiffs Request:**
And

- Allowing Defendant to Set the Criteria of (**ONE WEEK FOR PLAINTIFF**)
And to add Insult, (**ONE WEEK WITHIN THE CHRISTMAS HOLIDAY**)
Judge is somehow, (**Manipulated by the Defendant**) carrying out the Orders of the Defendant,
Not the Orders of the Court, Based on the Criteria of the Constitution
Judge Mann, is allowing the Defendant to Dictate these unreasonable request
Without regard for the party that's within its Constitutional means.
Plaintiff asks, is it the judge that sets the Criteria or the Defendant;

The defendant is the Culprit here, Not the Plaintiff

The defendant is telling the Plaintiff

- WHO TO SUE IN THE CAPTION
- THE DEFENDANT IS SEEKING TO COERCE PLAINTIFF UNDER DURESS TO

- UNSEAL AN ARREST
- RELEASE MEDICAL

Page | 6 Plaintiff cannot receive ‘Fair and Impartial Treatment from Judge Mann, and Judge B Cagen:

Is making a Request for another alternative:

Respectfully
C Martin EL
347-981-2712

Filename: Affidavit January 28 Cogen Judge Mann
Directory: J:
Template: C:\Users\user2\AppData\Roaming\Microsoft\Templates\Normal.d
tm
Title:
Subject:
Author: 5
Keywords:
Comments:
Creation Date: 1/29/2016 3:11:00 PM
Change Number: 2
Last Saved On: 1/29/2016 3:11:00 PM
Last Saved By: user2
Total Editing Time: 4 Minutes
Last Printed On: 1/29/2016 3:19:00 PM
As of Last Complete Printing
Number of Pages: 6
Number of Words: 1,357 (approx.)
Number of Characters: 7,735 (approx.)

C.M. EL
97-15 H.H. Expway
5J Queens NY
11368



FLUSHING, NY
11373
JAN 28, 16
AMOUNT
\$4.38
00108138-13

Hon Judge Brian M. Cogen

UNITED STATES EASTERN DISTRICT

Court, EASTERN DISTRICT OF

NEW YORK

225 Cadman Plaza EAST

Brooklyn, NY

11201